



# Human Resources Department

City of Burlington

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## DRAFT

### Institutions and Human Resources Policy Committee Minutes July 9, 2015

**Present Councilors:** Karen Paul (KP), Chip Mason (CM), Adam Roof (AR), and Sharon Bushor (SB)

**Staff Present:** Susan Leonard (SL), Brian Lowe (BL)

**Public Present:** Joe Spidel (JS) from UVM

**Meeting Called to order: 5:10 pm Human Resources Conference Room, 179 S. Winooski**

**1. Approve Agenda** KB moved to approve agenda; CM seconded. Motion passed 3:0.

#### **2. Discussion of Committee's Priorities for the Council Year**

KP stated that a resolution would be forthcoming to the City Council that calls for the elimination of the Institutions and Human Resources Policy Committee (IHRPC) and the reconstitution of the Human Resources Committee (HR) Committee. The resolution indicates that institutions functions of the former IHRPC will be assigned to the Community Development and Neighborhood Revitalization Committee (CDNR). Reorganizations, reclassifications, revisions to personnel policies and other Human Resource matter that require Council approval shall be reviewed and recommendations made by the Board of finance.

KP further went on to state that City Council President Nodell has requested that the UVM Fee for Services Agreement be handled by the current IHRPC members who are, KP, CM and Adam Roof.

SB stated that she was in attendance because she had institutional knowledge of the UVM Fee for Service Agreement and wanted to understand, and potentially give input on, items that would impact Ward 1. She also shared that there was a bit of confusion as to if the agreement would be discussed this evening. Understanding that the substance of the agreement would not be discussed, she did not bring her notes on the topic from many previous discussions, but would do so at a future meeting when they would be helpful. SL stated that at SB's suggestions, she had brought a section of the IHRPC minutes from the most recent time the committee had discussed the topic. SL provided copies to those present.

AR asked BL for clarification on their role in the UVM MOUs. BL indicated that his understanding was that the committee would provide input and recommendations to the Mayor and Council regarding the fee for services agreement.

CM stated that he was looking for guidance on what the public input process would be, so he could share it with his constituents. KP indicated that the intent of the evening's meeting was not to discuss the elements of the agreement, but to set the stage for the committee's work going forward. When the committee does to meet to discuss the content of the agreement, it will be on the agenda, the meeting(s) will be warned and, of course, open to the public.

JS, from UVM, shared some overarching conceptual thoughts/preferences.

- UVM would prefer not to renegotiate every year.
- Since 2009, undergraduate enrollment has gone down by 400 students, while on campus housing has gone up by approximately 300 units.
- The number of graduate students wanting to live on campus has increased.
- UVM Board of Trustees has become very financially conservative.
- It would likely be much more difficult to get an overly complicated MOU approved by the UVM Board of Trustees.

CM asked JS for a five to ten year summary of UVM development plans to include such things as parking, new buildings, housing, etc.

AR asked if we needed two agreements to deal with housing and quality of life issues and communication. JS indicated a preference for one agreement.

KP asked if UVM is unique in having fee for services agreements with a municipality or if there are studies we could reference to help determine how fees are established. SB stated that the fees were initially calculated by negotiation related to things such as fire suppression. JS indicated that the fees were based on actual costs and square footage. He also stated that we are the only ones in the nation whose fees are based on actual services. He shared that Boston College, a much larger campus, only pays a tenth of what UVM pays. However, he said he feels their (UVM's) fees are fair and the right thing to do because they are based on actual services.

CM stated that he would like to pull back on further conversation related to the UVM fee for services agreement until a future meeting. KP and AR agreed.

SL stated that her preference would be to continue to have policy changes go through the HR committee. She further stated that the vast majority of personnel policies guide personal conduct of both employees and management, and are not primarily financial in nature. They provide the framework for fair and equitable treatment in the workplace and promote positive employee relations. She gave the examples of policy related to diversity, equity and equal opportunity; hiring, promotions and reductions in force; non-discrimination, sexual harassment, drug-free workplace and domestic violence policy, background checks, performance improvement and professional development. She expressed the opinion that sending these types of policies to the Board of Finance instead of an HR-focused committee sends a message that the administration places a higher priority on the financial, rather than human, facets of HR policy.

KP, AB and CM all indicated support that perspective. KP offered to propose a change to the draft resolution indicating non-financial HR policy would go to the HR committee and financial policy changes such as reorganizations, reclassification and creation of new positions would continue to go to the Board of Finance and send it to the councilors sponsoring the resolution – Jane Nodell and Joan Shannon.

### **3. Update to City Policy 9.5 Hearing Rights for Involuntary Separation**

SL shared that City Attorney Blackwood had recommended the following change be made:

#### **9.5 HEARING RIGHTS FOR INVOLUNTARY SEPARATION**

- a. An employee who has been discharged from his/her employment, and who desires a review hearing, must give written notice of such to the Human Resources Director no later than fifteen (15) calendar days after mailing a notice of discharge. If the employee chooses not to participate in the pre-termination hearing, the employee shall have the right to appeal within fifteen (15) calendar days of the date of the mailing of the discharge notice.
- b. The employee is entitled to at least forty-eight (48) hours' notice of a hearing. The employee is also entitled to be represented by an attorney, or other representative at the employee's own expense at the hearing, to hear the evidence presented by the City, *confront and cross examine witnesses and evidence* and to present evidence on his/her behalf.
- c. The review hearing shall be heard by *an impartial decision maker -* the Institutions and Human Resources Policy Committee. The Institutions and Human Resources Policy Committee shall render a written decision within fifteen (15) calendar days after the hearing, unless otherwise agreed upon by the parties. The decision of the Institutions and Human Resources Policy Committee shall be final.

KP motioned to recommend changes. CM seconded. Motion passed unanimously, 3:0.

#### **4.) Other Business**

None

#### **7. Adjournment**

KP made a motion to adjourn at 5:55 pm. CM seconded. Motion passed 3:0.